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HIGH COURHIGH COURT OF CHHATTISGARH: BILASPUR

Writ Petition (S) No. 7167 of 2007

Petitioner Someshwar Dewangan, S/o. Shri Bhagwati Prasad Dewangan, Age about 34 years, Asstt. Teacher, Govt. Middle School, Kobiya, Block-Bemetara, Distt. Durg (CG).

Versus

Respondents

1) State Govt. of Chhattisgarh, through the Secretary, Education & Tribal Welfare Department, D.K.S. Bhawan, Raipur (CG).

2) District Education Officer, Bemetara, Distt-Durg (CG).

(Writ Petition under Article 226 of the Constitution of India)

SB: Hon'ble Mr. Satish K. Agnihotri, J.

Present: Shri Ajay Shrivastava, counsel for the petitioner.
Shri A.S. Kacchawaha, Govt. Advocate for the State.

ORAL ORDER

(Passed on 3rd December, 2007)

Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are squarely covered by the decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another**[2]

2) Learned counsel appearing for the petitioner has pointed out the circular dated 13-9-1974 (Annexure P/1), where under according to the petitioner, the petitioner, who had obtained B.Ed., examination certificate before appointment, is also entitled to two advance increments. The respondents/State, while considering the cases of the petitioners, shall grant the relief, in accordance with the circular (supra).

[2] 2006 (II) MPJR-CG 96

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3) For the aforementioned reasons, the writ petition is disposed of in terms of the decision of this Court in the matter of **Yashwant Kumar Bharadwaj** (supra), subject to verification of the fact as to whether the petitioner has acquired B.Ed., certificate at his own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

raju